

MINUTE ITEM

This Calendar Item No C7
was approved as Minute Item
No. 7 by the State Lands
Commission by a vote of 3
to 0 at its 4-28-76
meeting.

CALENDAR ITEM

4/76

C7

EPW
WP 1995

RIGHT OF WAY

APPLICANT: The Pacific Telephone and Telegraph Company
1426 Howe Avenue, Suite 50
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION: An 0.574 acre parcel of tide and submerged
land in the San Joaquin River, Stockton, San
Joaquin County.

LAND USE: For the installation and maintenance of a 6"
steel pipe and a submarine cable for the trans-
mission of voice communication.

TERMS OF PROPOSED LEASE: Indefinite term from February 26, 1976.

CONSIDERATION: Exempt by law, Public Utilities Code, Div. 4,
Sec. 7901.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

Filing fee of \$25, processing costs of \$350 and
environmental costs of \$160 has been received.

- STATUTORY AND OTHER REFERENCES:
- A. Public Resources Code: Div. 6, Parts 1 & 2.
 - B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.
 - C. Public Utilities Code: Div. 4, Sec. 7901.

- OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be \$100.
 2. The Division conducted an initial study and consulted with responsible agencies and environmental experts. It was determined that the project would not have a significant effect on the environment. A Negative Declaration prepared by the Division was circulated through the State Clearinghouse (No. 187) in accordance with CEQA, as amended, and the implementing regulation.

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3. Additionally, this project is situated on State land identified as environmentally

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significant pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. Staff review indicates there will be no significant effect upon the identified environmental values. The initial study was also circulated to those making nominations of significant environmental characteristics. No adverse comments were received.

4. PRC 1995.9, dated September 13, 1957, was issued to the Pacific Telephone and Telegraph Company for the construction and maintenance of an existing telephone cable at this same location. The proposed cable to accommodate present demand and a spare 6" steel pipe to accommodate future demand are to be located some twenty feet south of the cable placed in 1957.

EXHIBITS: A. Land Description. B. Location Map.
 C. Negative Declaration.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE DIVISION.
2. CERTIFY THAT THE NEGATIVE DECLARATION #187, HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED, AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE GRANTING OF THIS APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ.; OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY OF A RIGHT OF WAY FOR AN INDEFINITE TERM FROM FEBRUARY 26, 1976 PURSUANT TO PROVISIONS OF SECTION 7901, DIVISION 4; PUBLIC UTILITIES CODE; FOR THE INSTALLATION AND MAINTENANCE OF A 6" STEEL PIPE AND A SUBMARINE CABLE FOR THE TRANSMISSION OF VOICE COMMUNICATIONS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: "A"

EXHIBIT "A"

WP 1995

A parcel of tide and submerged land 100 feet wide in the State owned bed of the San Joaquin River in Section 16, T1N, R6E, M.D.M., lying 50 feet on each side of the following described centerline:

BEGINNING at a point on the west bank of the San Joaquin River from which the Section Corner common to Sections 16, 17, 20 and 21, T1N, R6E, M.D.M., bears the following three courses: S 5° 26' 30" E, 233.6 feet; S 71° 04' 30" W, 912.0 feet; S 89° 50' 30" W, 335.0 feet; thence from said point of beginning S 88° 09' 30" E, 314.0 feet to the east bank of the San Joaquin River, being the centerline of the herein described parcel.

EXCEPTING THEREFROM any portion thereof lying above the Ordinary High Water Mark of the San Joaquin River.

END OF DESCRIPTION

Prepared James A. McArthur Checked John R. McArthur
Reviewed Frank D. McArthur Date 12/18/95

